



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**ATTORNEY DOCKET NO. 028685-0104**

Applicant: Carl J. PEPINE et al.  
Title: COMBINATION DRUG THERAPY FOR TREATING  
HYPERTENSION  
Appl. No.: 10/816,461  
Filing Date: 04/01/2004  
Examiner: Unassigned  
Art Unit: 1614

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed June 18, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (12 pages).
- ☒ Information Disclosure Statement (2 pages).
- ☒ Form PTO\SB\08 (5 pages).
- ☒ Return Copy of Notice to File Missing Parts (2 pages).
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

10/19/2004 HBEYENE1 00000005 10816461

05 FC:1252

430.00 OP

- ☐ Extension for response filed within the first month  
☒ Extension for response filed within the second month  
☐ Extension for response filed within the third month  
☐ Extension for response filed within the fourth month  
☐ Extension for response filed within the fifth month

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total Claims:	88	- 20	= 68	x \$18.00	= \$1,224.00
Independents:	9	- 3	= 6	x \$88.00	= \$528.00
If any Multiple Dependent Claim(s) present:			+	\$300.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee			+	\$130.00	= \$130.00
[ X ] Extension fee for response filed within the second month:			+	\$430.00	= \$ 430.00
				SUBTOTAL:	= \$3,102.00
[ ] Small Entity Fees Apply (subtract 1/2 of above):					= \$0.00
				TOTAL FILING FEE:	= \$3,102.00
				TOTAL FEE	= \$3,102.00
Difference to pay:			-	\$0.00	- \$3,102.00


[ X ] Check in the amount of \$3,102.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

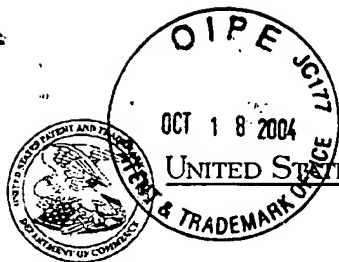
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

October 18, 2004  
Date

FOLEY & LARDNER LLP  
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Stephen B. Maebius  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,461	04/01/2004	Carl J. Pepine	028685-0104

22428  
 FOLEY AND LARDNER  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

CONFIRMATION NO. 8398

## FORMALITIES LETTER



\*OC000000012985900\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/19/2004 HBEYEH1 00000003 10816461

01 FC:1001	750.00 OP
02 FC:1051	130.00 OP
03 FC:1201	528.00 OP
04 FC:1202	1224.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1740 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2640** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1740**
  - **\$516** for **6** independent claims over 3.
  - **\$1224** for **68** total claims over 20.

Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
  Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Y. G.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE